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Applicant submits that the species of Species I, II, and III, relating to FIGs. 2, 5, and 6, all relate to the same inventive concept, which is why Applicant has elected Species I with *partial* traverse. Species IV, relating to FIG. 7, arguably could be regarded as a species separate from Species I, II, and III.

In all of Species I, II, and III, the exemplary embodiments all have two adjacent spring slats that are connected to each other by the connecting elements 13 (FIG. 2), 32 (FIG. 5), and 35 (FIG. 6). To this end, each connecting element 13, 32, 35 has at least one load-bearing means 15 (FIG. 2), 34 (FIGs. 5 and 6). The load-bearing means 15, 34 have additional spring elements, namely wings 14 (FIG. 2) and bellows 33 (FIG. 5), 36 (FIG. 6). The exemplary embodiment of FIGs. 2, 5, and 6 thus differ only with respect to the different configuration of the spring means (wings 14 or bellows 33, 36). Each of these three exemplary embodiments, however, implements the same technical concept.

Species I, II, and III are neither independent nor distinct under the Patent Laws or PCT 13.1. As mentioned in the MPEP, "[t]he term 'independent' (i.e., unrelated) means that there is no disclosed relationship between the two or more inventions claimed, that is, they are unconnected in design, operation, and effect. For example, a process and an apparatus incapable of being used in practicing the process are independent inventions." MPEP Section 802.01. In the present patent application, the inventions are embodiments of the same apparatus and are dependent.

Additionally, as discussed above, Species I, II, and III are related to each other because they are disclosed as connected in structure, operation, and effect. Related inventions are not distinct from each other if the inventions *as claimed* are connected in at least one of structure, operation, or effect. In the present patent application, the only differences between Species I, II, and III are the spring means (wings 14 or bellows 33, 36). However, both wings and bellows are a subset of spring means that can be the subject of a Markush group, namely, Claim 6. And, under MPEP 802.03, "[i]f the members of the Markush group are sufficiently few in number or so closely related that a search and examination of the entire claim can be made without serious burden, the

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examiner must examine all the members of the Markush group in the claim on the merits, even though they may be directed to independent and distinct inventions. In such a case, the examiner will not follow the procedure described below and will not require provisional election of a single specie." This is the situation in the present patent application.

As it does not appear that the wings and the bellows are in different classifications; examining both together would not appear to be an undue burden on the examiner. Thus, Applicant requests that examination proceed on Species I, II, and III together.

CONCLUSION

Applicant submits that the patent application is in condition for examination based on Species I, I, and III, and that at least Claim 1 is generic for all of Species I, II, III, and IV.

If the examiner has any questions that can be answered by telephone, please contact the attorney of record.

Respectfully submitted,
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